

EXHIBIT B  
(Ordinance Number 2015-UDO-03)

1. The Town of Marshall Unified Development Ordinance, Chapter 4, Special Requirements, Section 4.9.6 Temporary Uses Subsection 6. is hereby amended to add F. as shown below:

F. Mobile Food Vendors

- (1) Mobile food vendors are licensed motor vehicles or mobile food units which offer for sale and consumption food and beverages (except alcohol).
- (2) Permits required.
  - (a.) The owner, or authorized agent thereof, of any property upon which a mobile food vendor(s) proposes to operate, shall secure a permit for the establishment of a mobile food vendor site. Applicants shall provide such information as is deemed necessary by the Administrator to demonstrate compliance with this Ordinance; such information shall include, but shall not be limited to, a listing of the mobile food vendors authorized to operate upon the subject property.
  - (b.) Mobile food vendors shall secure a permit to operate within the jurisdiction of the Town of Marshall. Applicants shall provide such information as is deemed necessary by the administrator to demonstrate compliance with this Ordinance; such information shall include, but shall not be limited to, a list of the mobile food vendor sites upon which the vendor proposes to operate, as well as confirmation of compliance with all applicable health regulations.
  - (c.) In the issuance of permits for mobile food vendor sites and mobile food vendors, the Administrator shall have broad discretion to assign such conditions as may be necessary to protect the health, safety, and welfare of the public.
  - (d.) Permits for mobile food vendor sites and mobile food vendors shall be valid for a period of one (1) year, and shall be renewed annually. Permit fees shall be determined by the Town of Marshall Board of Aldermen as set forth in the Town of Marshall Schedule of Taxes, Charges and Fees.
- (3) Mobile food vendors must have a base of operations such as a restaurant or commissary and must report to said base for supplies, cleaning and servicing.
  - (a) If the base of operations is under different ownership than the mobile food vendor, a written agreement for use must be submitted as part of the zoning application.

- (b) No waste, grease, or wastewater shall be released into the Town's sanitary sewer or storm water collection system, ditches, tree wells or other public spaces.
- (4) There shall be no limit to the number of mobile food vendors per parcel so long as all other separation and site requirements as set forth below are met.
- (5) Separation and setbacks.

- (a) Mobile food vendors shall be subject to all site requirements as set forth in Section 3.4.2 except as modified below.

- (b) Setback, generally.

Mobile food vendors shall be situated at least ten (10) feet from all property lines and any road right-of-way, shall not encroach onto any street, sidewalk, or travel way, and shall not obstruct any loading zone or handicapped parking space. This requirement shall not apply to special events approved by the Town of Marshall for placement upon public streets.

- (c) Separation between mobile food vendors.

Mobile food vendors shall be situated at least twenty (20) feet from one another.

- (d) Separation between mobile food vendors and permanent structure.

- i) Mobile food vendors shall be situated at least twenty-five (25) feet from any permanent structures.
- ii) The Administrator may upon recommendation of the Fire Marshal, approve the placement of mobile food vendors within twenty-five (25) feet or less of a permanent structure. Such approval shall be based upon building type, building materials, existing fire breaks, and other pertinent information. Such reductions shall be reviewed on a case-by-case basis, at the discretion of the Administrator.
- iii) There shall be no reduction in separation between mobile food vendors and permanent structure within the Downtown Central Business District.
- iv) Mobile food vendors shall be situated at least two-hundred (200) feet from any residential structure that is located within a Residential zoning district

(e) Mobile food vendors must be setback a minimum of ten (ten) feet in all directions from fire hydrants.

(6) Power

(a) Outside of the Downtown Business District, generators may be used to power the vending unit.

(b) For dedicated power supplies the applicant must present documentation that power load supplied to the vehicle is sufficient to meet the vehicles needs while in operation.

(c) Vendors are subject to the requirements of the Town of Marshall Noise Ordinance, North Carolina Health Code, and North Carolina Building Code.

(7) Hours of operation for mobile food vendors shall be limited to 7:00 am to 10:00 pm, except during an approved special event, when other operating hours may be established as part of the event.

(8) Vendors must vacate the site each day unless the vendor owns the site.

(9) Mobile food vendors operators or their designee must be present at all times during operation, except in the event of an emergency.

(10) Each food truck shall supply at least one (1) waste receptacles which must be removed and emptied at the end of each day, Town trash receptacles shall not be used for food truck waste.

(11) Signage

(a) Mobile food vendors shall be limited to the following:

i) One (1) wall sign affixed the vehicle or trailer per side of the vehicle or trailer. Said sign shall be no larger than 32 square feet.

ii) One small A-frame sign not to exceed for (4) feet in height and eight (8) square feet of surface area may be place within five (5) feet of the vehicle or trailer to display daily specials, menus or other similar information.